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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/717,875	11/20/2003	Robert H. Feldmeier	706.003PA	9384	
25891	7590 08/01/2006		EXAMINER		
BERNHARD P. MOLLDREM, JR.			BECKER,	BECKER, DREW E	
224 HARRIS SUITE 200	SON STREET		ART UNIT	PAPER NUMBER	
SYRACUSE	, NY 13202		1761		
			DATE MAILED: 08/01/2006	DATE MAIL ED: 08/01/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/717,875	FELDMEIER, ROBERT H.	FELDMEIER, ROBERT H.	
Examiner	Art Unit	•	
Drew E. Becker	1761		

·	Drew E. Becker	1761	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 30 June 2006 FAILS TO PLACE THIS APP			
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in c	Appeal. To avoid aba idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expires 3 months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 70	ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing da	of the fee. The appropri nally set in the final Offi	ate extension fee ce action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	ns of the date of e appeal. Since
3. The proposed amendment(s) filed after a final rejection, l	but prior to the date of filing a brief.	will not be entered be	ecause
(a) They raise new issues that would require further con (b) They raise the issue of new matter (see NOTE below	nsideration and/or search (see NO		
(c) They are not deemed to place the application in bet appeal; and/or		ducing or simplifying	the issues for
(d) ☐ They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally rej	ected claims.	
4. The amendments are not in compliance with 37 CFR 1.12		mpliant Amendment	(PTOL-324).
 Applicant's reply has overcome the following rejection(s). Newly proposed or amended claim(s) would be all non-allowable claim(s). 		timely filed amendme	ent canceling the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-6 and 9-20. Claim(s) withdrawn from consideration:	□ will not be entered, or b) ⊠ wil vided below or appended.	l be entered and an e	explanation of
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 	t before or on the date of filing a No d sufficient reasons why the affidav	otice of Appeal will <u>no</u> it or other evidence is	t be entered s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appear y and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(1	ls to provide a l).
 The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER 	n of the status of the claims after e	ntry is below or attach	ned.
 The request for reconsideration has been considered bu <u>See Continuation Sheet.</u> 	t does NOT place the application in	n condition for allowar	nce because:
12. ☐ Note the attached Information Disclosure Statement(s).13. ☐ Other:	(PTO/SB/08 or PTO-1449) Paper N	lo(s)	

Continuation of 11. does NOT place the application in condition for allowance because: Applicants arguments were addressed in the Advisory Action of 7/13/06. Claims 1-6, 9, and 11-20 are rejected under 35 U.S.C 103(a) Hasting in view of McElroy, for the reasons listed in the Final Rejection of 4/5/06. Claim 10 is rejected further in view of van Schagen et al.

PRIMARY EXAMINER

HAVEXAMINER